



JUN 27 2003

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
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In re Application of :
Annie Fong et al :
Serial No.: 09/186,475 : WITHDRAWAL OF ABANDONMENT
Filed: November 4, 1998 :
Attorney Docket No.: 038602-0297 :

This is in response to the petition under 37 CFR 1.181, filed March 19, 2003, requesting withdrawal of abandonment based on a timely filed reply.

A review of the file history shows the examiner mailed a Final Office action to applicants on May 21, 2002, setting a three month shortened statutory period for reply. Applicants replied on November 21, 2002, with an amendment after final rejection, a Notice of Appeal and a request for a three month extension of time and fees therefor. The examiner mailed an Advisory action to applicants on January 28, 2003, indicating entry of the amendment but that it did not place the case in condition of allowance. The examiner also indicated that the Appeal Brief was due in view of the Notice of Appeal filed October 1, 2002. The correct date for receipt of the Notice of Appeal is November 21, 2002. The examiner mailed a Notice of Abandonment to applicants on February 26, 2003, since the Notice of Appeal was never entered in the electronic data base and the application appeared to be abandoned. The Notice of Abandonment was mailed in error and is withdrawn and the application restored to pending status with the mailing of this decision. Applicants have, since the filing of this petition, filed RCE papers on April 21, 2003.

Applicants' petition is **GRANTED**.

The application will be forwarded for entry of the Notice of Appeal and the RCE papers and then forwarded to the examiner.

Should there be any questions regarding this decision, please contact William R. Dixon, Jr., by mail addressed to Director, Technology Center 1600, PO BOX 1450, ALEXANDRIA, VA 22313-1450, or by telephone at (703) 308-3824 or by facsimile transmission at (703) 305-7230.


Roseanne C. Chambers
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